

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
RONALD BERGRIN,

Plaintiff,

-against-

UNITED STATES, et al.,

Defendants.
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/5/2020

19-CV-9681 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

On January 28, 2020, Plaintiff submitted an application for appointment of counsel. In determining whether to grant an application for counsel, the Court must consider “the merits of plaintiff’s case, the plaintiff’s ability to pay for private counsel, his efforts to obtain a lawyer, the availability of counsel, and the plaintiff’s ability to gather the facts and deal with the issues if unassisted by counsel.” *Cooper v. A. Sargenti Co., Inc.*, 877 F.2d 170, 172 (2d Cir. 1989) (per curiam). As a threshold matter, in order to qualify for appointment of counsel, Plaintiff must demonstrate that his claim has substance or a likelihood of success. *See Hodge v. Police Officers*, 802 F.2d 58, 60-61 (2d Cir. 1986). In reviewing a request for appointment of counsel, the Court must be cognizant of the fact that volunteer attorney time is a precious commodity and, thus, should not grant appointment of counsel indiscriminately. *Cooper*, 877 F.2d at 172.

A more fully developed record will be necessary before it can be determined whether Plaintiff’s chances of success warrant the appointment of counsel.

I am also in receipt of correspondence from Plaintiff dated February 4, 2020, that was sent to my Chambers email box. This correspondence has not been filed on the docket, and does not appear to make a specific request of me.

Accordingly, it is hereby

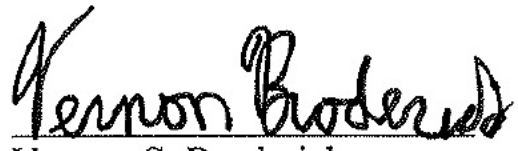
ORDERED that Plaintiff's application for the appointment of counsel is denied without prejudice to renewal at such time as the existence of a potentially meritorious claim may be demonstrated.

IT IS FURTHER ORDERED that any correspondence addressed to me should be filed on the docket if it relates to this case, unless there is a legal basis to seek an order that the correspondence be filed under seal.

The Clerk's Office is respectfully directed to mail a copy of this Order to the pro se Plaintiff.

SO ORDERED.

Dated: February 5, 2020
New York, New York


Vernon S. Broderick
United States District Judge